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RUEKJCS/JOINT STAFF WASHINGTON DC PRIORITY
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C O N F I D E N T I A L WARSAW 001446

SIPDIS

EUR/CE FOR MORRIS

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TAGS: [PREL](#) [MARR](#) [PL](#)

SUBJECT: FOURTH SOFA PLENARY CONCLUDES AMID STEADY PROGRESS

Classified By: Acting DCM A. Minh for reasons 1.4 (b) and (d)

¶1. (SBU) U.S. and Polish delegations convened in Warsaw December 16-18 for the fourth plenary round of negotiations on the supplemental bilateral SOFA. Deputy Defense Minister Stanyslaw Komorowski and Deputy Foreign Minister Andrzej Kremer led the Polish delegation. PM Senior Advisor Ambassador Jackson McDonald headed the U.S. team consisting of State and DOD representatives (PM, L/PM, JCS, MDA, EUCOM, and U.S. Embassy Warsaw).

¶2. (SBU) The first day negotiators reexamined "shall respect" versus "shall reply" language with regard to U.S. obligations under Polish law, as well as to basic definitions. The remainder of the plenary saw slow but steady progress establishing bracketed text on logistics, uniforms, firearms, communications, transportation, contractors, telecommunications, security, and protection of classified information.

¶3. (SBU) At the conclusion, the parties had established bracketed text for all articles. The U.S. side was tasked with providing a single document text with brackets, bringing together all disparate elements, to the Polish side by the week of January 12-16. Both sides agreed the next plenary should meet in Washington February 2-3. Working Groups on criminal jurisdiction, claims, finance, and transportation will meet again in Warsaw the final two weeks of January.

¶4. (C) COMMENT. Responding on the second day to U.S. dissatisfaction with the slow pace of negotiations, DFM Kremer said that he also was frustrated. He added that "political decisions" required to conclude the SOFA would be made only when the U.S. had progressed on its commitments to Patriot deployment and military modernization. Kremer expressed surprise when told that ratification of the SOFA Supplemental would have to precede Patriot deployment. It was after this exchange that negotiations transitioned to the deliberate but steady progress that marked the rest of the plenary session. END COMMENT.

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